

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

RICKY GREEN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV418-210
	)	
LT. BILLY CUNNINGHAM,	)	
	)	
Defendants.	)	

**REPORT AND RECOMMENDATION**

Defendant Billy Cunningham asks that this case be dismissed for want of prosecution, noting that plaintiff has failed to take any meaningful action in this case for more than six months, has failed to keep the Court apprised of his address, and has not responded to defendant's attempts to litigate the case. Doc. 14. That motion should be **GRANTED**. This case should be **DISMISSED** because plaintiff has failed to keep the Court apprised of his address or otherwise prosecute his case. Doc. 9 (Order that plaintiff must file an Amended Complaint and warning of dismissal if he failed to comply); doc. 13 (mail returned from Calhoun State Prison). See L.R. 11.1 ("Each attorney and *pro se* litigant has a continuing obligation to apprise the Court of any address

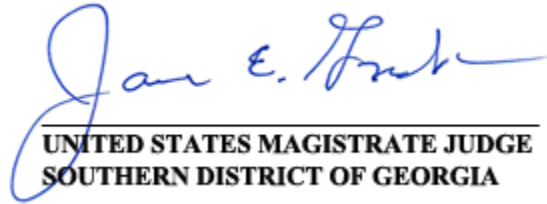
change.”); L.R. 41.1(c); *see Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (courts have the inherent authority to dismiss claims for lack of prosecution); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir. 1989); *Jones v. Graham*, 709 F.2d 1457, 1458 (11th Cir. 1983); *Floyd v. United States*, CV491-277 (S.D. Ga. June 10, 1992).

This report and recommendation (R&R) is submitted to the district judge assigned to this action, pursuant to 28 U.S.C. § 636(b)(1)(B) and this Court’s Local Rule 72.3. Within 14 days of service, any party may file written objections to this R&R with the Court and serve a copy on all parties. The document should be captioned “Objections to Magistrate Judge’s Report and Recommendations.” Any request for additional time to file objections should be filed with the Clerk for consideration by the assigned district judge.

After the objections period has ended, the Clerk shall submit this R&R together with any objections to the assigned district judge. The district judge will review the magistrate judge’s findings and recommendation pursuant to 28 U.S.C. § 636(b)(1)(C). The parties are advised that failure to timely file objections will result in the waiver of rights on appeal. 11th Cir. R. 3-1; *see Symonett v. V.A. Leasing Corp.*,

648 F. App'x 787, 790 (11th Cir. 2016); *Mitchell v. United States*, 612 F. App'x 542, 545 (11th Cir. 2015).

**SO REPORTED AND RECOMMENDED**, this 2nd day of May,  
2019.



UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA